



PROFESSIONAL LAND SURVEYOR SECTION
Room 121A, 1400 East Washington Avenue, Madison
Contact: Brittany Lewin (608) 266-2112
April 27, 2016

The following agenda describes the issues that the Professional Land Surveyor Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Professional Land Surveyor Section.

AGENDA

9:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of January 7, 2016 (4-7)

C. Administrative Updates

- 1) Staff Updates

D. Legislative/Administrative Rule Matters (8)

- 1) Update on A-E 7 (CR 15-039) Relating to Practice, Conduct, and Continuing Education
- 2) Update on A-E 3,4,6, and 9 (CR 15-040) Relating to Requirements for Entrance to Examinations
- 3) Update on A-E 1, 2, 6, 7, 8, 9, and 10 (CR 15-036) Relating to Land Surveyor Professional Licensure
- 4) Update on Pending Legislation and Pending and Possible Rulemaking Projects

E. NCEES Update

F. Deliberation on Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Election of Section Officers
- 3) Appointment of Section Liaison(s)
- 4) Administrative Updates
- 5) Education and Examination Matters
- 6) Credentialing Matters
- 7) Practice Matters
- 8) Legislative/Administrative Rule Matters
- 9) Liaison Reports
- 10) Informational Items
- 11) Disciplinary Matters
- 12) Presentations of Petitions for Summary Suspension

- 13) Petitions for Designation of Hearing Examiner
- 14) Presentation of Proposed Stipulations, Final Decisions and Orders
- 15) Presentation of Proposed Final Decision and Orders
- 16) Presentation of Interim Orders
- 17) Petitions for Re-Hearing
- 18) Petitions for Assessments
- 19) Petitions to Vacate Orders
- 20) Requests for Disciplinary Proceeding Presentations
- 21) Motions
- 22) Petitions
- 23) Appearances from Requests Received or Renewed
- 24) Speaking Engagement(s), Travel, or Public Relation Request(s)

G. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

H. Credentialing Matters

- 1) Application Reviews **(9-10)**
 - a. Brown, Jason
 - b. Glaszcz, Brian
 - c. Indermuehle, Ted R.
 - d. Larson, Eric
 - e. Sikora, Krystle
 - f. Wilkowski, Andrew

I. Education and Examination Matters

- 1) Continuing Education Waiver Requests **(11-21)**
 - a. J.D.A.
 - b. S.L.F.
 - c. J.B.H.
 - d. B.C.K.
 - e. J.B.M.

J. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

- 1) **Proposed Stipulations, Final Decisions and Orders**
 - a. 13 LSR 004, 15 LSR 006, 16 LSR 001 – John L. Stone **(22-29)**
 - b. 14 LSR 003 – William W. Rowland **(30-38)**
 - c. 15 LSR 003 – Thomas C. McClone **(39-44)**
- 2) **Deliberation on Proposed Final Decision and Orders**
 - a. Travis J. Kramer, Respondent, (DHA Case # SPS-16-0013)(DLSC Case # 15 LSR 001) **(45-53)**

K. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters

- 3) Disciplinary Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Administrative Warnings
- 10) Review of Administrative Warnings
- 11) Proposed Final Decision and Orders
- 12) Matters Relating to Costs/ Orders Fixing Costs
- 13) Case Closings
- 14) Proposed Interim Orders
- 15) Petitions for Assessments and Evaluations
- 16) Petitions to Vacate Orders
- 17) Remedial Education Cases
- 18) Motions
- 19) Petitions for Re-Hearing
- 20) Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

M. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

N. Open Session Items Noticed Above not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING DATE July 28, 2016

**LAND SURVEYOR SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS
MEETING MINUTES
January 7, 2016**

PRESENT: Bruce Bowden (*Via GoToMeeting*), Daniel Fedderly (*Via GoToMeeting*), Matthew Janiak, Ruth G. Johnson (*Via GoToMeeting*)

STAFF: Brittany Lewin, Executive Director; Nifty Lynn Dio, Bureau Assistant; and other Department Staff

CALL TO ORDER

Matthew Janiak, Chair, called the meeting to order at 9:30 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda

- *Added Item I.3, Proposed Stipulation, Final Decision and Order, 14 LSR 009 – Anthony Gromacki*

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Daniel Fedderly moved, seconded by Ruth G. Johnson, to approve the minutes of October 22, 2015 as published. Motion carried unanimously.

ELECTION OF OFFICERS

BOARD CHAIR

NOMINATION: Ruth G. Johnson nominated Matthew Janiak for the Office of Board Chair.

Brittany Lewin called for nominations three (3) times.

Matthew Janiak was elected as Chair by unanimous consent.

VICE CHAIR

NOMINATION: Bruce Bowden nominated Daniel Fedderly for the Office of Vice Chair.

Brittany Lewin called for nominations three (3) times.

Daniel Fedderly was elected as Vice Chair by unanimous consent.

SECRETARY

NOMINATION: Daniel Fedderly nominated Ruth G. Johnson for the Office of Secretary.

Brittany Lewin called for nominations three (3) times.

Ruth G. Johnson was elected as Secretary by unanimous consent.

| 2016 ELECTION RESULTS | |
|------------------------------|-----------------|
| Board Chair | Matthew Janiak |
| Vice Chair | Daniel Fedderly |
| Secretary | Ruth G. Johnson |

LIAISON APPOINTMENTS

| 2016 LIAISON APPOINTMENTS | |
|-------------------------------------|---------------------------------|
| Credentialing Liaison | Bruce Bowden |
| Rules Liaison | Matthew Janiak |
| Monitoring Liaison | Daniel Fedderly |
| Continuing Education Liaison | Daniel Fedderly, Bruce Bowden |
| Travel Liaison | Matthew Janiak |
| Screening Panel | Ruth G. Johnson, Matthew Janiak |

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to affirm the Chair’s appointment of liaisons for 2016. Motion carried unanimously.

DELEGATION MOTIONS

Delegated Authority for Urgent Matters

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, that the Board counsel or another department attorney is formally authorized to serve as the Board’s

designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

Document Signature Delegation

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

Credentialing Authority Delegations

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

Monitoring Delegations

MOTION: Bruce Bowden moved, seconded by Ruth G. Johnson, to affirm the Chair's appointment of Daniel Fedderly as the Monitoring Liaison, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor; document as presented. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

Continuing Education Audit Discussion

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to request a Continuing Education Audit. Motion carried unanimously.

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS

NCEES Central Zone Interim Meeting – May 5-7, 2016 in Kansas City, Missouri – Consider Attendance

MOTION: Daniel Fedderly moved, seconded by Ruth G. Johnson, to designate Matthew Janiak, as the Board's delegate, to attend the NCEES Central Zone Interim Meeting on May 5-7, 2016 in Kansas City, Missouri and the NCEES Annual Meeting on August 24-27, 2016 in Indianapolis, Indiana to authorize travel. Motion carried unanimously.

CLOSED SESSION

MOTION: Ruth G. Johnson moved seconded by Bruce Bowden, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and

440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Matthew Janiak read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Bruce Bowden-yes; Daniel Fedderly-yes; Matthew Janiak-yes; Ruth G. Johnson-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:55 a.m.

RECONVENE TO OPEN SESSION

MOTION: Ruth G. Johnson moved, seconded by Bruce Bowden, to reconvene in Open Session at 9:58 a.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to affirm all Motions made and Votes taken in Closed Session. Motion carried unanimously.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

14 LSR 009 – Anthony Gromacki

MOTION: Bruce Bowden moved, seconded by Daniel Fedderly, to adopt the Finding of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Anthony Gromacki, DLSC case number 14 LSR 009. Motion carried unanimously.

Case Closures

14 LSR 006

MOTION: Daniel Fedderly moved, seconded by Bruce Bowden, to close DLSC case number 14 LSR 006, against K.A.V. for **No Violation**. Motion carried unanimously.

ADJOURNMENT

MOTION: Ruth G. Johnson moved, seconded by Bruce Bowden, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:00 a.m.

AGENDA REQUEST FORM

| | | | |
|---|---|--|--|
| 1) Name and Title of Person Submitting the Request: Dale Kleven Administrative Rules Coordinator | | 2) Date When Request Submitted: 4/14/16 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting | |
| 3) Name of Board, Committee, Council, Sections: Professional Land Surveyor Section | | | |
| 4) Meeting Date: 4/27/16 | 5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6) How should the item be titled on the agenda page? Legislation and Rule Matters – Discussion and Consideration 1. Update on A-E 7 (CR 15-039) Relating to Practice, Conduct, and Continuing Education 2. Update on A-E 3, 4, 6, and 9 (CR 15-040) Relating to Requirements for Entrance to Examinations 3. Update on A-E 1, 2, 6, 7, 8, 9, and 10 (CR 15-036) Relating to Land Surveyor Professional Licensure 4. Update on Pending Legislation and Pending and Possible Rulemaking Projects | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both | | 8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No | |
| 9) Name of Case Advisor(s), if required: | | | |
| 10) Describe the issue and action that should be addressed: | | | |
| 11) Authorization <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"><i>Dale Kleven</i></div> <div style="width: 45%; text-align: right;"><i>April 14, 2016</i></div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Supervisor (if required)</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</div> <div style="width: 35%; text-align: right;">Date</div> </div> | | | |
| Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | |